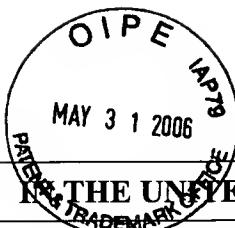


6-1-06

AP



Docket: 33503/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Michael Fantuzzi
 Application No.: 10/674,268
 Filing Date: September 29, 2003
 Title: Solubilized CoQ-10

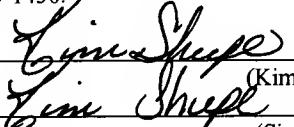
Examiner: Kosson,
 Rosanne
 Group Art Unit: 1653

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, Virginia 22313-1450

Express Mailing Number: EV 6884409818 US
 Date of Deposit: May 31, 2006

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Kim Shupe
 (Signature)

Dear Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner. The appeal is made from claims 1 through 5. The right to request an oral hearing is reserved.

The fee for this Notice of Appeal is (37 CFR § 1.17(b))		\$500.00
<input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR § 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:	<u>\$250.00</u>
<input checked="" type="checkbox"/>	A check in the amount of the fee is enclosed.	
<input type="checkbox"/>	Payment by credit card. Form PTO-2038 is attached.	
<input type="checkbox"/>	The Commissioner has already been authorized to charge fees in this application to a Deposit Account. <i>Enclosed is a duplicate copy of this sheet.</i>	
<input checked="" type="checkbox"/>	A petition for an extension of time under 37 CFR § 1.136(a) (PTO/SB/22) is enclosed.	
<i>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</i>		

I am the		
<input type="checkbox"/>	applicant/inventor.	Signature
<input checked="" type="checkbox"/>	attorney or agent of record.	<u>Christopher R. Hilberg, Esq.</u> Typed or Printed Name
<input type="checkbox"/>	attorney or agent acting under 37 CFR § 1.34(a). (Insert Reg. No.)	Reg. No. (if applicable)
<input type="checkbox"/>	assignee of record of the entire interest. See 37 CFR § 3.71. Statement under 37 CFR § 3.73(b) is enclosed. (Form PTO/SB/96)	Date
<p><i>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</i></p> <input checked="" type="checkbox"/> *Total of 2 forms are submitted.		

Respectfully submitted,

DORSEY & WHITNEY LLP

Customer Number 25763

Date: May 31, 2006

By: Christopher R. Hilberg
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 (612) 492-6694